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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/769,926

02/03/2004

Young Hoon Roh

P24878

1905

7055

7590

06/22/2006

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EXAMINER

TANNER, HARRY B

ART UNIT

PAPER NUMBER

3744

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/769,926	<b>Applicant(s)</b> ROH ET AL.	
	<b>Examiner</b> Harry B. Tanner	<b>Art Unit</b> 3744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

Art Unit: 3744

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korean reference 2002-0047618 in view of Liebenow et al. Korean reference 2002-0047618 discloses the invention substantially as claimed. Korean reference 2002-0047618 discloses a client pad 10 for a refrigerator with a touch screen that can communicate with the refrigerator 1 in either a wired or a wireless mode of operation. Liebenow teaches the use of a means to automatically switch between wireless and wired-based communication based upon the state of the wired connection as sensed by contact switch ( see 211 of Figure 2 and 401 of Figure 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the system of Korean reference 2002-0047618 such that it included the use of means to automatically switch between wireless and wired-based communication based upon the state of the wired connection as sensed by a contact switch in view of the teachings of Liebenow.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Korean reference 2002-0047618 in view of Liebenow et al as applied to claim 1 above, and further in view of Roh et al (6,644,046). Roh et al (6,644,046) teaches connection of a refrigerator to the internet. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the system of Korean reference

2002-0047618 such that it included connection of the refrigerator to the internet in view of the teachings of Roh et al (6,644,046).

Claim 7 and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korean reference 2002-0047618 in view of Liebenow et al as applied to claim 1 above, and further in view of Korean reference 2002-0030222. Korean reference 2002-0030222 teaches connection of a refrigerator to home network. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the system of Korean reference 2002-0047618 such that it included connection of the refrigerator to home network in view of the teachings of Korean reference 2002-0030222.

Applicant's arguments filed on March 23, 2006 have been fully considered but they are not persuasive. It is noted that the examiner did not reject claims 1-5 and 8-11 using the reference to Roh et al as stated by applicant at page 8 of the remarks. Roh was used only in the rejection of claim 6. The primary reference used for claims 1-5 and 8-11 was Korean reference 2002-0047618 which clearly shows the same touch pad 10 being connectable to the refrigerator wirelessly and with wires (Figure 1 and 2). The English abstract of Korean reference 2002-0047618 does not discuss the manner in which the touch pad determines which type of communication to use even though it must inherently have some way to make that determination. Liebenow clearly shows a means for determining the proper use of wireless or wired communication based upon the use of a contact switch on the outer surface of the communication module. It is the examiner's position that one of ordinary skill in the art would have considered the use of

a contact switch as a means of determining the proper use of wireless or wired communication in the Korean reference 2002-0047618 system to have been obvious in view of the teachings of Liebenow.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harry B. Tanner whose telephone number is (571) 272-4813. The examiner can normally be reached 8:30 am to 5:00 pm Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler, can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

Art Unit: 3744

applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Harry B. Tanner". The signature is fluid and cursive, with the first name "Harry" and last name "Tanner" clearly distinguishable.

Harry B. Tanner  
Primary Examiner  
Art Unit 3744